

Commissioner Lori F. Kaplan

*Text as prepared
for:*

Hoosier State Press Association

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(Text does not include verbatim comments)

Introduction

- Good afternoon. Thank you for having me.
- I appreciate this opportunity to address the Hoosier State Press Association.
- It is good to have the opportunity to speak to so many media reps at one time. Many of you have been very gracious to welcome me to visit with your editorial boards as I travel the state, not to mention a great willingness to attend various press events we have scheduled. Perhaps with the exception of the recent Logansport event...
- But on a serious note, let me start by thanking you for the role you play in protecting Indiana's environment.
- Not only because 97% of you recycle and 74% of you use recycled fiber content paper or because IDEM places public notices in your legal section and pitches op-eds to your editorial boards.
- Your role is more important than this.
- Newspapers = eyes and ears of communities – help to maintain checks and balances of government.

- Numerous examples of environmental problems brought to our attention through various media reps.
- Although we work diligently to ensure that Indiana's environment is healthy, IDEM's staff is finite and so are our finances.
- Public awareness and ownership is imperative to environmental protection.
- Thanks to you for raising the conscience of the public when it comes to the importance of the environment and individual accountability.
- Topics for today: an IDEM primer, Newspaper recycling programs and the Task Force, 2001 Accomplishments, and hot issues in 2002, including our two greatest concerns in this legislative session: fees and wetlands.

Who Is IDEM?

- Established in 1986. Purpose - oversee and implement federal and state regulations regarding the environment.
- Primarily regulatory agency – permitting and enforcement – with various non-regulatory programs to assist businesses do business in environmentally sound manner. EPA delegated and state regulatory authority.
- Staff of about 970, with offices in Indy, and regional offices.
- Four major program areas: Air, Water, Land, and Pollution Prevention and Technical Assistance.

- Numerous educational and financial programs to groups throughout Indiana including local government, business, education and agriculture sectors.
- We provide training and expert advice on environmental issues, grants and low interest loans, and several **recognition programs**.

SEGUE:

• Indiana Newspaper Recycled Content Achievement Program

- This newly created program directly involves you and your industry.
- Through our mutual partnership, this achievement program has been developed to recognize those newspapers that 1) pledge to use at least 40% recycled fiber content in their printing, and 2) demonstrate a commitment to local recycling efforts.
- Goal: provide incentive for newspaper publishers to use more environmentally friendly processes.
- Recipients of recognition:
 - Joint letter of recognition from HSPA Board President and me, as commissioner of IDEM; and
 - Specially designed newspaper recycling logo for display for a period of two years to advertise exemplary record at promoting recycling
- While the Indiana Newspaper Recycled Content Achievement Program is new, the partnership between IDEM and the HPSA is not.

Indiana Recycled Paper Task Force

- Recycled Paper Task Force was established in 1991, to address the issues of paper recycling in the state.
- Task Force comprised of representatives from the paper industry, newspaper publishers, IDEM, environmental advocates and concerned citizens' groups.
- 1991 Task Force report set specific goals for newspaper and other users of newsprint to use a certain percentage of recycled fiber in newsprint: 11% by 1993, 23% by 1996, 31% by 1998, and 40% by 2000.
- HSPA has surveyed its members every two years to document each newspaper's recycled content, the company's in-house recycling practices or newsprint overage and scrap, and the newspaper's efforts to support local community recycling programs.
- Based on the surveys gathered by the HSPA, all goals set were met and even exceeded! And without any regulatory oversight!
- The surveys will also be used to determine which newspapers will receive recognition through the Indiana Newspaper Recycled Content Achievement Program
- Congratulations to HSPA and each of you for making the Task Force, and now this recognition program vehicles to illustrate the commitment of your industry to protect and preserve Indiana's environment.
- So as we start settling into 2002, I'm sure that we have all reflected on issues of the past year and looked for ways to build on them for 2002.

Segue: 2001 Accomplishments/2002 Issues

- Looking back on 2001, there were some important events that occurred within IDEM.
 - **Guide Settlement** - second largest environmental action in the state's history, @\$14M, 5 federal criminal charges, \$6M for NRD
 - **NOx Rules** – 31% statewide reduction in nitrogen oxide emissions by May 2004, 66% statewide reduction in NOx emissions from fossil-fuel fired electric plants, 55% reduction in NOx emissions emitted from large industrial boilers, and incentives for energy efficiency / renewal sources of power. National recognition for this last part. Most aggressive in the country.
 - **For the first time since monitoring began for ground-level ozone in 1974, Indiana has met the health-based standard statewide**
 - Groundwater Rules
 - CFO Rules
 - Indy Permit
 - \$1B SRF (explain SRF program). Over 100 communities benefited
 - And for those newspaper which published my opinion editorial about reaching these milestones . . . **thank you**

Looking forward to 2002

- Year of Clean Water: focus on water at IDEM
- Two big issues this year, which are also playing out in the legislature: Fees and Wetlands

Permit Fee Increases

- Statutory fees instituted in 1994, have not been raised during that time. Statutory fees include NPDES, solid waste and hazardous waste.
- In 1994, projected need of \$9.6 million, never realized. Last year income = \$8.3 million. During that time, cost of living increased for state employees by @ 37%.

- Proposing 30% increase to bring income to \$11.1 million.
- New fees for drinking water and storm water.
- Inflation, lower than anticipated fee revenues and continuing program demands warrant an adjustment in fees, which have not been raised **since 1994**.
- Since 1994, at the demand of our constituents, our staff and responsibilities have grown, however, our fees have remained unchanged.

DRINKING WATER FEES:

- IDEM cannot keep pace with the new Safe Water Drinking Water Act mandates without additional funding.
- This 1996 Act created several new mandates that IDEM has begun implementing without additional resources necessary.
- Over the next several years, demands will far exceed any available resources.
- If revenue is not generated to meet the demands placed on IDEM staff and resources, our compliance rates, number of inspections and timely issuance of permits could potentially suffer.
- Already, IDEM's drinking water program falls below those of other Midwest states in staffing levels, funding and fee collections.
- Requesting authority for WPCB to establish drinking water fees through rulemaking process over the next year or so. Allows for public process. Suggesting a cap of \$2M/year – keeps us below the next lowest state, WI

- As the new year gets into full swing, its important that we have the funds to ensure continued progress and operation of IDEM programs to their fullest
- One of these programs includes **protecting Indiana's wetlands**.

Wetlands Rule

- Wetlands are areas where water covers the soil, or is present either at or near the surface for part or all of the year, including the growing season.
- These natural resources are crucial for many Hoosiers' drinking water.
- Wetlands recharge our groundwater and more than 70 percent of Indiana residents rely on groundwater for part or all of their drinking water needs.
- Near Huntertown, in Allen County, geologists have shown that "isolated" wetlands in the area are actually directly connected to groundwater.
- Wetlands also important for flood control, filtration of pollutants, habitat and recreation.
- For years, IDEM and the federal government shared the task of protecting these wetlands.
- However, this past year, that all changed.
- In January 2001, the U.S. Supreme Court ruled that the federal government could no longer regulate certain isolated wetlands.

- This in turn created a significant gap in the protection of wetlands.
- IDEM has estimated that more than 30 percent of the 800,000 acres of Indiana wetlands have lost federal protection.
- In response, IDEM announced a series of measures to close this gap in the protection of our wetlands created by this decision.
- The new wetlands rule will provide a clear, comprehensive and consistent approach to regulating one of Indiana's most important natural resources.
- The measure will create a new state permit system to regulate isolated wetlands and other related waterbodies and ensures that these resources are protected and regulated in a fair and efficient manner,
- **and** enforce our state water quality standards to protect all wetlands from harm.
- As we continue to develop this rule and work with the public on the issue, IDEM gladly accepts the responsibility to protect Indiana's wetlands.
- Legislative bills pending as a result...
- And as we continue to look forward, IDEM is constantly looking to the future of Indiana's environment by identifying environmental issues and attacking them with innovative and knowledgeable strategies.

CONCLUSION:

- And as we continue to work toward our goals of protecting Indiana's environment, I invite you to be a part of this pursuit by using your forum to promote the importance of environmental awareness.
- The more education and awareness that is out there means that more people know their role in the future of Indiana's environment.
- And once people know what they should and could do, they usually will do it.
- Thank you for your time and thank you for everything YOU do to help protect and preserve all that is great about Indiana.